

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**CHARLES TOWNSLEY, et al.,
Plaintiffs,**

v.

**INTERNATIONAL BUSINESS
MACHINES CORPORATION,
Defendant.**

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Case No. 1:20-CV-00969-DAE

JOINT ADVISORY RE: PLAINTIFFS' MOTION TO COMPEL DISCOVERY

COME NOW, Plaintiffs Charles Townsley, Michael Sauro, Walter Noffsinger, Rosa Davidson, Michael Kelly, Titon Hoque, Janet Gelphman, and Thanh Do ("Plaintiffs"), and International Business Machines Corporation ("Defendant" or "IBM"), in the above-styled and numbered cause, and file their Joint Advisory pursuant to this Court's March 29, 2022 Amended Order regarding Plaintiff's Motion to Compel Discovery, and would respectfully show the Court as follows:

1. Counsel for the parties conferred on April 13, 2022 via videoconference, and April 20, 2022 via phone conference, in a good-faith attempt to resolve the Motion pending before the Court.
2. Despite their attempts at conference, the parties' counsel were unable to resolve the fundamental differences which are presented by Plaintiffs' Motion to Compel, Defendant's Response thereto, and the parties' Replies.
3. IBM maintains that the applicable Resource Actions ("RA's") for each of the Plaintiffs was as identified by the respective four-letter acronyms, and therefore its previous production of such data at the Business Unit/General Manager level was appropriate. In conferring about the Motion to Compel, IBM offered to produce additional data for such four-letter

acronym RA's beyond the Business Unit/General Manager level to the Group level in which the Plaintiffs were employed at the time of their respective RA.

4. Plaintiffs' counsel rejected IBM's offer. Plaintiffs maintained that they are entitled to discovery at Concord, Maple and Palm level.
5. Accordingly, the parties respectfully request the Court consider and resolve the diametrically opposed positions of the parties so that this case may proceed toward resolution instead of being mired in further discovery disagreements.

Dated: April 20, 2022

Respectfully submitted,

WRIGHT & GREENHILL, P.C.

900 Congress Avenue, Suite 500
Austin, Texas 78701
512/476-4600
512/476-5382 (Fax)

/s/ Heidi A. Coughlin

Heidi A. Coughlin
State Bar No. 24059615
hcoughlin@w-g.com

Archie Carl Pierce
State Bar No. 15991500
cpierce@w-g.com

Blair J. Leake
State Bar No. 24081630
bleake@w-g.com

and

Kaplan Law Firm

Austin Kaplan
State Bar No. 24072176
akaplan@kaplanlawatx.com

ATTORNEYS FOR PLAINTIFFS

/s/ Edward M. "Ted" Smith

Edward M. "Ted" Smith
(Texas Bar No. 00791682)
Andrew Broadaway
(Texas Bar No. 24082332)
Alan Lin
(Texas Bar No. 24085435)

**CORNELL SMITH MIERL
BRUTOCAO BURTON, LLP**

1607 West Avenue
Austin, Texas 78701
Phone: (512) 328-1540
Fax: (512) 328-1541
tsmith@cornellsmith.com
abroadaway@cornellsmith.com
alin@cornellsmith.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2022, I electronically filed a true and correct copy of the foregoing with the Clerk of Court using the CM/ECF system, which will send notice such filing to all counsel of record.

/s/ Edward M. "Ted" Smith

Edward M. "Ted" Smith